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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/800,297	03/11/2004	Ali Jabbary	PA2623US	8271
22830	7590	03/03/2006	EXAMINER	
CARR & FERRELL LLP 2200 GENG ROAD PALO ALTO, CA 94303			TRAN, CONGVAN	
			ART UNIT	PAPER NUMBER
			2688	

DATE MAILED: 03/03/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/800,297

Applicant(s)

JABBARY ET AL.

Examiner

CongVan Tran

Art Unit

2688

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☐ Responsive to communication(s) filed on ____.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-22 is/are pending in the application.
- 4a) Of the above claim(s) ____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) ____ is/are allowed.
- 6) ☒ Claim(s) 1,3-5,8,10-13 and 15-22 is/are rejected.
- 7) ☐ Claim(s) 1,6,7,9 and 14 is/are objected to.
- 8) ☐ Claim(s) ____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 11 March 2004 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. ____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|---|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. ____. |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| Paper No(s)/Mail Date ____. | 6) <input type="checkbox"/> Other: ____. |

DETAILED ACTION

Claim Objections

1. Claims 1, 10, 16 and 22 are objected to because of the following informalities:

- In claims 1, 10, 16 and 22 DCCH should be spelled out.
- In claim 16, CUT should be spelled out.

Appropriate correction is required.

Claim Rejections - 35 USC § 102

2. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

3. Claims 1, 3-5, 8, 10-13, 15-21 and 22 are rejected under 35 U.S.C. 102(e) as being anticipated by Wilson et al. (6,8714,842).

Regarding claims 1, 3-5, 8, 10-13, 15, and 22, Wilson discloses a system and method for using mobile signal strength measurements to collect radio frequency isolation data in a cellular network, comprising: designating a first cell site of plurality of cells a cell-under-test (CUT) site, and sector of other cell sites as measurement sectors (see abstract, figs.3-4, col.2, lines 50-56 and its description); configuring a set of system-unique analog frequencies and a set of system unique DCCH frequencies corresponding to the CUT site (see abstract, figs.3-4, col.2, lines 50-58 and its

description); broadcasting from the CUT site carrier signals at the set of system unique analog frequencies and interference signal at the set of system unique DCCH frequencies (see abstract, figs.3-4, col.2, lines 50-64 and its description); measuring downlink signal strengths of carrier at mobile stations located within an area serviced by the CUT site (see abstract, figs.3-4, col.2, line 65-col.3, line 34 and its description); measuring signal strengths of the interference signals within areas serviced by the measured sector (see abstract, figs.3-4, col.2, line 65-col.3, line 34 and its description); recording the signal signal strengths of carrier and interference signals measured in step (d) and (e) (see abstract, figs.3-4, col.2, line 65-col.3, line 34 and its description); designing another cell site of the plurality of cell sites as the CUT site and repeating steps (b) through (f) (see abstract, figs.3-4, col.2, line 65-col.3, line 44 and its description);

Regarding claims 16-21, Wilson discloses a system and method for using mobile signal strength measurements to collect radio frequency isolation data in a cellular network, comprising: a Cell Under Test (CUT) site configured to broadcast carrier signals at system-unique analog frequencies and interference signal at system-unique DCCH frequencies (see fig.3, steps 302-304, col. 2, lines 50-64 and its description); a plurality of mobile stations configured to receive, measure, and transmit signal strengths of carries signals and interference signals (see fig.1, fig.3, steps 310-312, col.2, line 65-col.3, line 7, and its description); and a plurality of measurement sectors configured to receive the transmitted signal strengths (see fig.3, step 314-316, col.2, line 65-col.3, lines17, and its description).

Allowable Subject Matter

4. Claims 2, 6-7, 9 and 14 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to CongVan Tran whose telephone number is 571-272-7871. The examiner can normally be reached on Monday-Thursday.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, George Eng can be reached on 571-272-7495. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).


CONGVAN TRAN
PRIMARY EXAMINER

CongVan Tran
Primary Examiner
Art Unit 2688

Feb. 27, 2006.